

## AMEND ZONING BY-LAW

## ARTICLE 44 PLANNED DEVELOPMENT DISTRICTS

To see if the Town will vote to amend the Zoning By-Law and Zoning Map to simplify the standards, processes, and terminology for planned development districts, or act in any other manner in relation thereto.

(Inserted at the request of the Planning Board)

**DESCRIPTION:** This article would make several changes to processes related to Planned Development, including:

- 1) Replacing the current RD and CD district types with a single district type with no predetermined standards (like the current CD);
- 2) Using normal Town Meeting processes for zoning changes involving planned development districts rather than special rules;
- 3) Using the site plan review process to review final plans rather than the special permit process; and
- 4) Renaming existing RD and CD districts.

### PROPOSED MOTION

That the Zoning Bylaw, Chapter 135 of the Code of the Town of Lexington, be amended<sup>1</sup> as follows:

1. Add an additional row to § 2.2.3, Planned Development Districts, as follows:

PD	Planned Development
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2. Delete 7.3 and replace with the following:

### 7.3 PLANNED DEVELOPMENT DISTRICTS.

**7.3.1 Purpose.** A planned development (PD) district is intended to:

1. Permit considerable flexibility in the development of tracts of land by requiring few predetermined standards;
2. Permit a developer to propose, and for the Town to vote on, a site development and use plan unique to a particular location;
3. Permit the use of development standards more detailed than the more general standards elsewhere in this bylaw; and
4. Provide information for the Town to evaluate the potential impacts of a proposed development and to enable the Town to require adherence to such site development plans.

**7.3.2 Provisions Applicable to PD Districts.**

1. Standards for development. A PD District does not have predetermined standards for development. Such standards are to be proposed by the developer, included in the preliminary site development and use plan and approved by Town Meeting.
2. Uses permitted. Any uses may be permitted in a PD District if they are clearly identified in the preliminary site development and use plan approved by Town Meeting.
3. Compliance required. No use is permitted and no development may occur in a PD

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<sup>1</sup> A strikethrough version is available upon request from the Planning Department

- District except in substantial conformity with a preliminary site development and use plan approved by Town Meeting, the provisions of this section and site plan review under § 9.5. In no case may the use or development be inconsistent with the text of the preliminary site development and use plan.
4. Filings. Each petition presented to the Town Meeting for rezoning land to a PD District shall include a preliminary site development and use plan describing the proposed zoning provisions and development plan as described in the Planning Board's rules and regulations. Two copies of the preliminary site development and use plan which accompanies a petition for a rezoning shall be filed with the Town Clerk and one copy with the Planning Board at least three weeks prior to the Planning Board public hearing required to be held under MGL c. 40A. Subsequent to that public hearing, revisions to the preliminary site development and use plan may be filed with the Town Clerk and the Planning Board. The vote of the Town Meeting shall refer to the preliminary site development and use plan and it shall be considered part of the rezoning action.
  5. Previous amendments. The preliminary site development and use plan for an existing PD district that was approved by an earlier Town Meeting may be amended. The proposed amendments shall be presented and acted upon in the same manner set forth in this section for an original petition.
  6. Application for site plan review. The application for site plan review under this section shall be accompanied by
  7. A copy, certified by the Town Clerk, of the preliminary site development and use plan approved by the Town Meeting.

#### **7.3.3 Existing RD and CD Districts.**

Existing CD and RD districts adopted under previous versions of this bylaw shall be governed by the version of this bylaw in effect on 1 January 2016 only until they are eliminated or amended. Any such elimination or amendment shall follow the procedures in this section.

C. Delete § 9.4.1.2.